Scott. II-27—45,004—14-11-29.

Law (General) (1930) Department.

MS. SERIES.

G.O. No. 3632

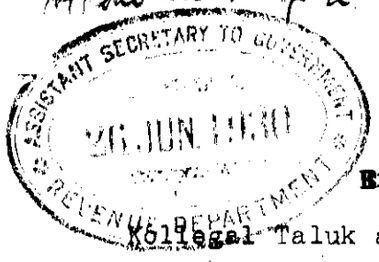
DATED 29-8-30

[Despatch Abstract.]

Court - Criminal -

Employment of a Stationary Sub Magistrate at Pollegal - Memorial of the residents of Pollegal town.

Subject :- Establishment - Magistrates (Coimbatore).
Appointment of a S.S.M at Kollegal.



Rs 19000

26/6/30

Extract from the Memorial of the Residents of the Kollegal Taluk and the Talvadi Firka of the Gobichettypalayam Taluk of Coimbatore District, dated 5th June 1930.

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3. Though for Revenue purposes there are two chief officers, the Tahsildar and Revenue Divisional officer for the Kollegal taluk, so far as the judicial work is concerned, the provision is far from being adequate. There are at present only a Tahsildar, with second class magisterial powers and the Sheristadar magistrate, who in very many cases exercises only third class magisterial powers, and before he is empowered with second class powers he is transferred to other places. These two magistrates administer criminal justice in addition to their Revenue work and are not while time magistrates and criminal work is therefore not expediently done. As the Tahsildar is a touring officer, he is obliged to hear criminal cases in camps. The Sheristadar is burdened with Treasury work. A separate stationary sub-magistrate may with advantage be appointed at Kollegal as in other Taluk centres.

Law (General) Department.

A copy of paragraph 3 will be sent to Revenue for necessary action regarding appointment of Stationary Sub Magistrate

C.R.
20-6-1930.

To the Revenue Department.

Law (G) 2626 B-1
20.6.30

3/

C

Rev dept

To under secy.

Please see the extract at ¶1 supra. The general question of the abolition of sarishtadar magistrates and the appointment of stationary sub-magistrates in their places is under consideration in Public and it is understood ~~from the~~ that a refee re extra cost has gone to the Board. The extract at ¶1 supra may also be sent to that dept for consideration along with the general question raised in that file

Pub
1820

28.6.30.

30/6/30

Public (General) Department.

Please see the extract from the Memorial of the residents of Kollegal taluk at page 1 ante.

2. Recently we made a reference to the Board of Revenue about the scheme of replacement of Sarishtadar Magistrates by Stationary Sub Magistrates The Board's reply was that except in Chatrapur taluk there is no case for the appointment of a Stationary Sub Magistrate in any other taluk including Kollegal, and that the question of abolition of Sarishtadar

Magistrates

Magistrates might be held over pending the orders of the Secretary of State on the general question of Separation of Judicial and Executive functions. That file has been submitted separately. This may lie over pending disposal of that file.

Put this up, please, as soon as orders are passed on the main file

The main file is sent.

Received.

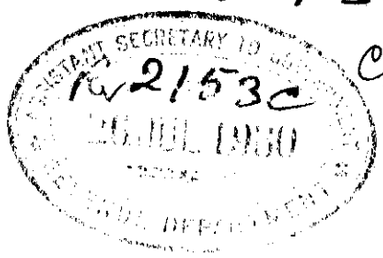
The sending of extracts from the main file will be the proper answer to this question for the information of Rev. Deptt. & this file may be linked with those extracts

A

Public (General) Department

With reference to U.S's note at 'A' above G.O. No. 873 MS Public (General) dated 17-7-1930. (with extracts of Circular and notes) are put up with the file linked (No II). This file along with the linked file may be transferred to Revenue a—o.

Pub (Gen)
No 3889/29-3
26.7.30



5.

Rev. deptt.

To under Secy.

Please see the note of Public deptt at p 4 supra. This file may await the decision ~~on the top file concerning the deptt.~~ on the question raised in the top file ~~concerning~~ viz. ~~as to which~~ deptt of the Secretariat should deal with the question of the opening of new criminal courts; ~~which has been raised in the top file.~~

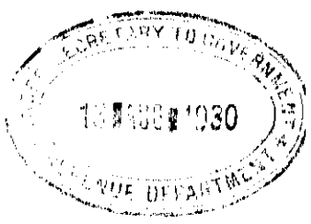
29.7.30.

30/7/30

31/7/30

Pub/Genl/Deptt

It has been decided that no action need be taken now on the general question of abolition of Sarishtadar Magistrates. The memorial at page 1 ante has therefore to be considered as an individual question. As regards the merit of the proposal, please see para 2 of this Department note on page 3 ante. The question as to which department should issue orders on individual cases like this has been raised in linked file No. I. It has been suggested there that Law(General) should issue such orders. If that suggestion is accepted, this file may be transferred to Law(General) along with that file.



12/8/30

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Law

Law (Gen) dept 17/29.8

Please see para. 2 of the Public Dept's note at page 3 & and the papers may be recorded:

Govt 3682 29.8.

25/8.

25.8.30

Govt. - Grant

Employment of a Sty. Sub Magn. at Kollegal - Memn of the residents of Kollegal Taluk

26 263

PUBLIC (GENERAL) DEPARTMENT.

NOTE FOR THE COLLECTORS' CONFERENCE, 1930.

[SUBJECT.—*Taluk sarishtadar-magistrates—Abolition.*]

At present there are in this Presidency 26 taluks where taluk head accountants exercise magisterial functions.

The question of transferring the magisterial powers now exercised by those magistrates to stationary sub-magistrates was examined by Government in 1928 and it was decided not to proceed with it for the following reasons:—

(1) The question was entirely one of finance and of balance of advantages. It was estimated that if all the existing 26 sarishtadar-magistrates were replaced by stationary sub-magistrates the additional cost in salaries and contingencies would be about Rs. 97,900 *per annum* and if offices had also to be built for the new stationary sub-magistrates, the cost would be about Rs. 11 lakhs.

(2) The new stationary sub-magistrates so appointed would have insufficient work; and

(3) The question of the separation of judicial and executive functions is before the Secretary of State and final orders are expected as soon as the changes in the existing system which may be brought about as a result of the report of the Statutory Commission are known.

C. W. E. COTTON,
Chief Secretary.

Decision at the Collectors' Conference, 1930.

It was admitted that in certain districts the work of Sarishtadar magistrates was far too heavy but on the general question of abolishing the post of Sarishtadar Magistrates and substituting Stationary Sub Magistrates the Conference were of opinion that it was not necessary. All that was necessary was to appoint Stationary Sub magistrates where the heaviness of the files justified such a step.